

reworked under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17679. Misbranding and alleged adulteration of sirup. U. S. v. 418 Cases of Sirup. Product adjudged misbranded and ordered released under bond. (F. & D. No. 24983. I. S. Nos. 6801, 6802, 6803. S. No. 3339.)

Samples of a product labeled "Pure Cane Syrup," from the herein described interstate shipment having been found to contain sugar sirup, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Texas.

On August 15, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 418 cases of sirup, remaining in the original packages at Houston, Tex., alleging that the article had been shipped by the Mayer Sugar & Molasses Co. (Inc.), from New Orleans, La., in part on or about April 18, 1930, and in part on or about June 27, 1930, and had been transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Cane Syrup Made in the Old Way on the Louisiana Plantation. Packed by Mayer Sugar & Molasses Company, Inc., New Orleans, La."

It was alleged in the libel that the article was adulterated in that sugar sirup had been mixed and packed therewith so as to lower and injuriously affect its quality and strength, and had been substituted in part for pure cane sirup which the said article purported to be.

Misbranding was alleged for the reason that the statements on the labels of the cans, "100 per cent Pure Cane Syrup Made in the Old Way on the Louisiana Plantation," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, pure cane sirup.

On September 12, 1930, Crausbay-Alexander & Co., having appeared as claimants for the property, a decree was entered adjudging the product misbranded, and it was ordered by the court that the said product be released to the claimants upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it be relabeled so that it comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17680. Misbranding of salad oil. U. S. v. 474 Cartons, et al., of Salad Oil. Consent decree of forfeiture entered. Product released under bond. (F. & D. No. 23909. I. S. Nos. 03883, 03884, 03885. S. No. 2127.)

Sample cans of salad oil from the herein described shipment having been found to contain less than the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the District of Connecticut.

On August 2, 1929, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 474 cartons (each containing 6 gallon cans) and 3 gallon cans; 74 cartons (each containing 12 half-gallon cans) and 9 half-gallon cans; and 49 cartons (each containing 24 quarter-gallon cans) and 21 quarter-gallon cans of salad oil, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Van Camp Packing Co., from Louisville, Ky., on or about July 3, 1929, and had been transported from the State of Kentucky into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Cans) "Contadina Brand Oil Pure Vegetable Salad Oil Contadina Oil Co. One Gallon Net [or "One Half Gallon Net" or "One Quarter Gallon Net"]."

It was alleged in the libel, among other allegations, that the article was misbranded in that the statements "One Gallon Net," "One Half Gallon Net," and "One Quarter Gallon Net," borne on the labels of the cans, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantities stated were not correct.